

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 90-00371-34
:
v. :
:
ADALBERTO ROMAN : CIVIL NO. 96-2639

MEMORANDUM & ORDER

J.M. KELLY, J.

November 6, 2001

Before the Court are two motions filed by the petitioner, Adalberto Roman. One motion is to proceed in forma pauperis, and a second motion is a motion for discovery. Neither motion is objected to by the United States. The motion for discovery includes petitions filed by petitioner in his prior habeas corpus actions. Another request is for the United States Magistrate's Report regarding his prior actions. A third request is for a copy of the District Court's opinion and order regarding the 1997 action. All three of these requests should ordinarily be in the petitioner's possession. The petitioner has an obligation of maintaining his own legal file and not expect the Court to reconstruct it every time he intends to file a petition or a motion. However, because the petitioner is proceeding pro se, the Court will provide the requested material to the petitioner with the understanding that in the future good cause will have to be shown by the petitioner before materials will be supplied by the Court that should ordinarily be in the petitioner's possession.

It is ORDERED that:

1. Petitioner's Motion to Proceed In Forma Pauperis is

GRANTED.

2. The Clerk of Court shall provide the petitioner with the following documents:

(a) the docket entries from his prior habeas corpus actions;

(b) the petitions he filed in his prior habeas actions;

(c) the United States Magistrate Judge's Report regarding his prior actions; and

(d) the United States District Court Opinion or Order regarding his 1997 action.

3. The Court will not in the future provide petitioner with pleadings that he has filed with the Court or pleadings which have been provided to him by the Court or counsel representing the respondents.

BY THE COURT:

JAMES MCGIRR KELLY, J.